

**ATTENDANCE:**

BOARD           Betsy Whitman, Chair (via tele-conference)  
                  Elliot Abrams, Supervisor (via tele-conference)  
                  Daniel Treviño, Vice-Chair  
                  Jessica Buckland, Supervisor (via tele-conference)  
                  Pam Robb, Supervisor

STAFF           Doug Erickson, Township Manager  
                  Lawrence Pegher, Finance Director  
                  Betsy Dupuis, Solicitor (via tele-conference)  
                  Stephen Casson, Township Engineer  
                  Tyler Jolley, Chief of Police  
                  Nicole Pollock, Planner (via tele-conference)  
                  Alexandra Castrechini (via tele-conference)

AUDIENCE       C-NET (2)  
                  Joe Nosti, Allied Properties (Colonnade)  
                  Tony Fruchtl, Penn Terra Engineering  
                  Bob Poole, S&A Homes (Patton Crossing)  
                  Heidi Nicolas (Patton Crossing) (via tele-conference)  
                  Rory Garr, Aldi's (via tele-conference)  
                  Robert Switala (Colonnade) (via tele-conference)

1.   **CALL TO ORDER**

The March 25, 2020 Board of Supervisors Meeting was called to order by Mr. Trevino at 5:00PM.

2.   **PUBLIC COMMENTS**

There were no public comment.

**NOTE: CHANGE TO AGENDA FORMAT**

To expedite the meeting, the Board action items are all included under Item 3 and Item 3.1, the Consent Agenda. Written project updates are included under Item 9a of the Manager's Report; please provide any questions regarding updates to the Manager

3.   **BOARD ACTION ITEMS**

a.   **Patton Crossing Phase 1 – Aldi Store #27 Land Development Plan**

*From the March 2<sup>nd</sup> Planning Commission agenda:*

The purpose of this plan is to develop Phase 1 of Patton Crossing with a 20,442 S.F. grocery store and all associated infrastructure. This site is located at 1752 North Atherton Street in the Mixed-Use Overlay District 2 (MXD-2). The site will have 101 parking stalls with 5 ADA stalls. There is also a bicycle rack for 7 bicycles provided. The point of access will be from North Atherton Street at the existing signalized intersection at Woodycrest Street. Tree removal at Patton Crossing is to begin shortly per February 21, 2020 notice from HFL Corporation:

*“The tree cutting company should mobilize late next week or the first week of March. Our plan is to have all the site trees identified for removal cut down by the end of March.”*

This plan is in conformance with the Master Plan.

*End of Planning Commission agenda materials*

**3. BOARD ACTION ITEMS (Continued)**

**a. Patton Crossing Phase 1 – Aldi Store #27 Land Development Plan (Continued)**

The Planning Commission reviewed the plan at their March 2<sup>nd</sup> meeting and after discussion recommend conditional approval with

1. Completion of all items noted on each comment letter provided by staff, and
2. Relocation of two lighting standards into the southerly islands in the parking lot, and
3. Addition of a sidewalk connection on the northwest corner of the site between the Atherton Street sidewalk and the building perimeter sidewalk, and
4. Consideration of relocating 2 or more of the handicapped parking spaces to a location in front of the main doors to the facility.

The developer has agreed to implement items 2, 3 and 4 as recommended by the Planning Commission; these changes are incorporated into the updated plan set dated March 19, 2020.

The following items were included with the agenda materials: (\*items for the benefit of new members)

1. Location Map
2. Patton Township Staff Plan Review Comments
3. Alpha Fire Company, COG Refuse & Recycling Comments
4. Plan Update letter from Engineer
5. Updated 11" x 17" Plan Set
6. Developer's Patton Crossing Master Plan Presentation\*
7. Plan Review Flow Chart\*

For this item the Board should:

1. Receive a presentation of the land development plan by the developers and their design professionals,
2. Provide comments/questions to the developers, their design team and/or staff,
3. Request audience comments/questions
4. Provide final comments/questions to the developers or staff
5. Following a motion and second, discuss the plan, and
6. Consider action to conditionally approve the plan or identify additional information required prior to taking action.

Dr. Buckland asked if plants being planted are native plants. Mr. Fruchtl stated that the trees are on the Township's native plant list and the shrubs meet the Township's requirements.

Mr. Abrams asked about the CATA bus stops. Mr. Fruchtl stated that concrete pads for bus stops will be added on Park Forest Avenue.

Mr. Abrams moved to conditionally accept the Patton Crossing Phase 1 – Aldi Store #27 Land Development Plan. Seconded by Ms. Robb, the motion passed 5-0.

3. **BOARD ACTION ITEMS (Continued)**

b. **The Colonnade at State College – Retail Stores E, F, & G Land Development Plan**

*From the March 2<sup>nd</sup> Planning Commission agenda:*

This Land Development Plan constructs the remaining retail facilities, E1 (5,052 S.F.), E2 (5,052 S.F.), E3 (10,477 S.F.), F (30,000 S.F.), and G (18,052 S.F.), in the Colonnade development. This site is located in the Planned Commercial District (C-2). These buildings will be placed between the Target and Kohls. The necessary parking and related infrastructure for this project was previously constructed. This plan is in conformance with the Master Plan.

*End of Planning Commission agenda materials*

The Planning Commission reviewed the plan at their March 2<sup>nd</sup> meeting and recommend conditional approval with

1. Completion of all items noted on each comment letter provided by staff, and
2. The addition of bike parking in front of Retail E.

The developer has agreed to implement item 2 as recommended by the Planning Commission.

The following items were included with the agenda:

1. Location Map
2. Patton Township Staff Plan Review Comments
3. Alpha Fire Company, COG Refuse & Recycling Comments
4. 11" x 17" Plan Set

For this item the Board should:

1. Receive a presentation of the land development plan by the developers and their design professionals,
2. Provide comments/questions to the developers, their design team and/or staff,
3. Request audience comments/questions
4. Provide final comments/questions to the developers or staff
5. Following a motion and second, discuss the plan, and
6. Consider action to conditionally approve the plan or identify additional information required prior to taking action.

Mr. Abram moved to conditionally approve the Colonnade at State College – Retail Stores E, F, & G Land Development Plan. Seconded by Dr. Buckland, the motion passed 5-0.

c. **Resignation of Supervisor Buckland**

Dr. Jessica Buckland has tendered her resignation from the Patton Township Board of Supervisors effective at the adjournment of the Board's March 25, 2020 meeting.

1) **Acceptance of Resignation and Effective Date**

Ms. Whitman moved to accept Dr. Buckland's resignation effective at the adjournment of the Board's March 25, 2020 meeting. Seconded by Ms. Robb, the motion passed 4-0.

3. **BOARD ACTION ITEMS (Continued)**

c. **Resignation of Supervisor Buckland (Continued)**

2) **Filling Vacated Seat on the Board**

The Code does not dictate a process for filling a vacancy but does limit the remaining members of the Board to a 30-day window for making an appointment with someone who is a registered voter and has resided in the Township for at least one year. The appointee would serve until the end of 2021. The seat will be up for election in 2021 for the remainder of the six year term expiring at the end of 2023.

The 30 day clock begins with the effective date of resignation (see prior item).

The state Sunshine (Open Meetings) Law **does** require that deliberations regarding process and selection, and the final decision, must be made during open, public meetings of the Board. The last vacancy on the Board was filled by a process detailed in the [January 22<sup>nd</sup> Special Meeting agenda](#).

The Board members should discuss and determine a process to select someone to fill the to-be-vacated seat.

If a process is determined, the Board may deliberate in public on the strengths of the potential appointees. Following any needed deliberation, one Board member should make a motion to appoint a specific person to fill the vacancy. If another Board member “seconds” the motion, the Board will undertake a final discussion regarding the proposed appointee. (If there is no “second”, the motion “dies” and will not be discussed or voted upon.) Following discussion, the Board Chair will call for a vote. The motion must receive at least three “ayes” to pass and appoint the proposed person to fill the vacancy.

If the Board comes to agreement on the appointment, the Manager recommends the Board choose an effective appointment date between March 30<sup>th</sup> and April 3<sup>rd</sup>. This will allow time for the appointee to complete the [Oath of Office](#) and the [Statement of Financial Interests](#).

By consensus, the Board decided to look to the remaining applicants from the January 22<sup>nd</sup> appointment process to fill this vacancy.

Mr. Abrams moved to appoint Ms. Anita Thies to the Board. Seconded by Ms. Whitman, the motion passed 4-0-1 with Dr. Buckland abstaining.

Ms. Whitman moved to designate Ms. Thies’ term effective date as April 1, 2020 by approving Resolution 2020-008. Seconded by Ms. Robb, the motion passed 4-0.

Mr. Pegher stated that Ms. Thies e—mailed in to thank the Board for the appointment.

### 3.1 **CONSENT AGENDA**

The items included below are routine in nature and it is not anticipated that any will generate discussion or questions. The actual Consent Agenda with a brief description of each item is included with the agenda packet materials distributed to the Board and available to the public on-line and at the sign-in table. At the request of any Board member, any single item or all items on the Consent Agenda can be discussed and voted on separately. If no items are “pulled,” the Board should consider a motion for “approval of the Consent Agenda items as shown on the agenda.”

#### a. **Public Works**

##### 1) **Designate May 2, 2020 as Watershed Cleanup Day**

Clearwater Conservancy has requested that Patton Township designate May 2, 2020 as Watershed Cleanup Day. Clearwater Conservancy has organized this community-wide volunteer effort annually since 1997 and has collected and safely disposed more than 3,000 tons of trash from our waterways and country-sides.

As in past years, the Patton Township Public Works will continue to participate by providing trucks and labor to assist the collection efforts. The Public Works Director will coordinate activities between Clearwater Conservancy and the Township.

<https://www.clearwaterconservancy.org/events/watershed-cleanup-day-2>

A request letter from Clearwater is included with the agenda materials

**It is recommended that the Board designate May 2, 2020 as Watershed Cleanup Day.**

##### 2) **Letter of Support for Grant Application for Millbrook Marsh, Spring Creek Education Building, Phase II Construction**

As part of the Council of Governments' 2020 Budget approval, the Township agreed to pledge financial support to the Phase II construction of the Spring Creek Education Building at the Millbrook Marsh Nature Center. Based on the current funding formula, our share would be \$44,040 total over two budget cycles.

**It is recommended that the Board approve submission of the enclosed Letter of Support with a pledge of \$44,040 for the subject project.**

#### b. **Administration**

##### 1) **February 2020 Voucher Report**

A copy of the February 2020 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

**It is recommended that the Board approve the February 2020 Voucher Report.**

##### 2) **Minutes February 26, 2020**

The draft minutes of the last Board meeting are included with agenda materials. Board members having questions or changes should contact the Township Manager prior to the meeting so revisions can be included in a supplemental distribution.

**It is recommended that the Board approve the February 26, 2020 minutes.**

### 3.1 CONSENT AGENDA

#### b. Administration

##### 3) Appointments to Code Board of Appeals

Municipalities in Pennsylvania are required by the Uniform Construction Code (section 501(c) of the Act (35 P. S. § 7210.501(c)) to establish and appoint members to serve on a board of appeals. According to the UCC, the *“board of appeals shall hear and rule on appeals, requests for variances and requests for extensions of time.”*

The UCC also provides that *“two or more municipalities may establish a joint board of appeals through an intermunicipal agreement under 53 Pa.C.S. § § 2301—2315 (relating to intergovernmental cooperation).”* The six Centre Region municipalities have adopted ordinances to establish and maintain a regional board of appeals through the Centre Region COG.

The existing board of appeals configuration has been in place since 2004. The board meets very infrequently and between the core board and accessory boards require the appointment of seventeen (17) or more industry professionals. For many reasons, these appointments have been very difficult to fill. As a result, the CRCA Agency Director is recommending that the regional appeals board be restructured into a smaller, more active board that would meet monthly and function both as an appeals board and a sounding board for the agency.

In 2020 the CRCA Agency Director recommends that a staff and Committee work objective be established to update the Articles of Agreement that establish the appeals board agreement. The goal is to have the new agreement in place for the start of 2021.

With the current slate of regional appeals board members, there is only one appointment that should be made so that the board can function normally while the proposed restructuring occurs. This appointment is shown below.

The General Forum has made one recommendation for re-appointment to an additional three-year term -- Property Maintenance Board: Ryan Solnosky, Ph.D., P.E.

**It is recommended that the Board approve above nomination for re-appointment to the Centre Region Building and Housing Board of Appeals**

##### 4) Bike Month, Bike Week & Bike to Work Day Resolution

CentreBike has again that the Board consider a resolution to designate May 2020 as Bike Month, May 11 through May 17, 2020 as “Bike-To-Work-Week,” and May 17, 2020 as “Bike-to-Work Day”.

A draft resolution is included with the agenda materials. The Board should consider action to.

**It is recommended that the Board adopt Resolution 2020 – 008.**

Ms. Whitman moved to approve the Consent Agenda. Seconded by Ms. Robb, the motion passed 5-0.

4. **PUBLIC SAFETY**

a. **Police Update**

Chief Jolley gave a brief overview of the February 2020 Police Report that was included in the agenda materials.

Ms. Whitman asked what kind of training that the officers are receiving and what kind of PPE is being used. Chief Jolley stated they are receiving information daily from the CDC and have some contingencies set up and are being proactive with keeping the officers healthy. He stated that we have N95 masks for officers and disposable ones for patients, plus gowns and gloves. He stated that monitoring PPE supplies.

5. **PUBLIC WORKS – see Project Updates under Manager’s Report Item 9a**

6. **PLANNING & ZONING – see Planner’s update under Manager’s Report Item 9a**

7. **ADMINISTRATION – no items**

8. **CONSENT AGENDA – see Item 3.1**

9. **MANAGER'S REPORT**

Mr. Erickson reported on the following current matters:

- a. Updates for the Board – appended to these minutes
- b. Development Update (enclosed)
- c. Centre Region Complete Counts Committee – Census Day is April 1, 2020
- d. [Upcoming Events](#)
  - [1] Township Office Schedule
    - Closed, April 10<sup>th</sup> – Carpet Cleaning
  - [3] Local Government Week, April 6-10
  - [5] [Household Hazardous Waste Collection](#) Postponed
  - [6] [Watershed Clean-up Day](#), May 2
  - [7] PSATS, Hershey, May 3-6
  - [8] Children’s Safety Fair, May 16<sup>th</sup>, Colonnade Shopping Center – Postponed to September
  - [9] [Bulk Trash Collection](#), May 18 - 22, 2020
  - [10] General Forum at Patton Township, May 26<sup>th</sup>

10. **COMMITTEE REPORTS**

[Ad Hoc Facilities, March 3 – Pegher Alt](#)

- Direction for Next Site Visit Report
- Repurposing of Study Funds
- Preparing for the Facilities Coordinator

[Human Resources, March 4 – Buckland](#)

- Facility Coordinator Job Description
- Finance Assistant Job Description Reclassification
- Code Senior Staff Title Changes
- COG Salary Schedule

[Solar Power Purchase Agreement Working Group](#) – March 4 – Whitman

- Revised Cost Sharing Agreement for Energy Consultant
- RFP for Energy Consultant Services Update
- Revised Timeline

[Finance, March 5 - Trevino](#)

- Regional Parks Loan
- Long-Term Strategic Planning
- [Transportation and Land Use, cancelled – Robb](#)

[Public Services and Environmental, March 5 - Whitman](#)

- Draft Greenhouse Gas (GHG) Emissions Reduction Resolution
- Update on Organic Waste Alternatives
- Joint Proposal to Change Refuse and Recycling Start Time

[Public Safety, March 10 - Trevino](#)

- 2019 Year End Fire Activity Report
- COVID-19 Briefing
- Possible CRCA Purchase of a Hybrid SUV Vehicle
- Staff Updates

[Exec, March 17 – Abrams](#)

- Proposed Covid-19 Briefing To The General Forum
- Parks And Recreation Regional Comprehensive Plan
- 2019 Year End Fire Activity Report
- SPPA Intergovernmental Cost Sharing Agreement
- Executive Director's Report
- Executive Session



10. **COMMITTEE REPORTS (Continued)**

[Future Meetings](#)

[Parks Capital, April 9 – TBD](#)

- a. State College Borough Water Authority. Feb 2020 – Montieth (summary enclosed)
- b. Centre Area Cable Consortium, [as needed - Trevino](#)
- c. Spring Creek Watershed Commission, , Hurley Alt
- d. [Centre County Metropolitan Planning Organization](#), – Abrams, Whitman Alt.
- e. [Centre County Airport Authority – \(4<sup>th</sup> Thursday\) – Downsborough](#)

11. **OTHER BUSINESS**

Mr. Pegher stated that Ms. Thies e-mailed saying that April 1, 2020 is ok with her.

Mr. Trevino asked with the tremendous economic impact due to Covid-19 if the staff could work on a more long term budget. Mr. Erickson stated that there will be monthly updates and will work on a report.

12. **ADJOURNMENT**

Ms. Robb moved to adjourn the March 25, 2020 meeting at 6:18PM. Seconded by Ms. Whitman, the motion passed 5-0.

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Douglas J. Erickson, Township Secretary